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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: KESSLER et al.

Serial No.: 09,530,747

Group Art Unit: 1634

Filed: October 23, 2000

Examiner: Taylor, J.

For: SPECIFIC AND SENSITIVE NUCLEIC

Attorney Docket No.: 1803-302-999

ACID DETECTION METHOD

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

- 1. Enclosures accompanying this Information Disclosure Statement are:
 - 1a.

 A list of all patents, publications, applications, or other information submitted for consideration by the office.
 - 1b. A legible copy of:
 - ☑ Each U.S. patent application publication and U.S. and foreign patent;
 - Each publication or that portion which caused it to be listed on the PTO-1449;
 - □ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
 - all other information or portion which caused it to be listed on the PTO-1449.
 - 1c.

 An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.
 - 1d.

 Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.

2.	×	Th:	This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b): Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);						
			Within three months of the date of entry of the national stage as set forth in §1.491 in ar international application;						
			Bef	ore the mailing of the first Office action on the merits;					
		⊠		ore the mailing of a first Office action after the filing of a request for continued mination under §1.114.					
3.		spe C.F	This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period pecified in 37 C.F.R §1.97(b), but before the mailing date of any of a final action under C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.						
	3a.			The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.					
	3b.			The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is: □ enclosed □ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.					
4.		This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.							
		The	he \$180.00 fee set forth in 37 C.F.R. §1.17(p) is: curve enclosed. to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.						
		The	The Certification Statement in Item 5 below is applicable.						
5.		□ Certification Statement (applicable if Item 3a or Item 4 is checked)							
	5a.			In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.					
	5b.			In accordance with 37 C.F.R. §1.97(e)(2), it is certified that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known by any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.					
6.		plication is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).							
	6a.			A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.					

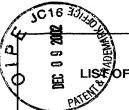
	6b	. 🗆		d on Form PTO-1449 from printplication claims priority und 37 C.F.R. §1.98(d).					
	6c.	. 0	-	isted on Form PTO-1449 were , filed on , and are provided he	~ *				
7.		This is	s a Supplemental Information	Disclosure Statement. (Check	either Item 7a or 7b)				
	7a.		supplements the Information was made to comply with 37. These omissions have been	tion Disclosure Statement under Disclosure Statement filed on Topical C.F.R. §1.98, but inadvertent corrected herein. Accordingly emental Information Disclosured on	n A bona fide attempt tomissions were made.				
8.		In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:							
	8a. 🗆		satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.						
	8b.	. 🗆	set forth in the application.						
	8c.	e. enclosed as an attachment hereto.							
9.	⊠	The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Pennie & Edmonds LLP Deposit Account No. 16-1150 (order no. 1803-302-999).							
10.	⊠	No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).							
				Respectfully submitted,					
Date	.	Decem	nber 9, 2002	Mad	42.002				
vale		Decen	1061 9, 200 <u>2</u>	Rahul Pathak	42,983 (Reg No.)				
				For: Nikolaos C. George	(Reg. No. 39, 201)				

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(212) 790-9090

SUBCLASS

FILING DATE



*EXAMINER INITIAL

OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

DOCUMENT NUMBER

ATTY DOCKET NO. APPLICATION NO. 1803-302-999 09/530,747

APPLICANT

KESSLER et al.

FILING DATE GROUP

October 23,2000 1634

INITIAL		1					1	IL ALL	OPHIATE	
	АН	5,200,313	4/06/93	Carrico						
I.	Al	5,858,671	1/12/99	Jones						
	AJ	5,882,857	3/16/99	Western						
			FORE	EIGN PATEI	NT DOCUMENTS					
		DOCUMENT NUMBER	DATE		COUNTRY	CLASS	SUBCLASS	TRANS	NO	
	AK	International Search Report of PCT/EP98/06951	5/26/99	РСТ				Teo	140	
	AL	International Search Report of PCT/EP98/06952	7/27/99	РСТ						
-	AM	International Search Report of PCT/EP98/06961	5/26/99 ×	PCT						
	AN	EP 0 070 685 A2	1/26/83	EPO						
	AO	EP 0 593 789 A	4/27/94	EPO						
*	AP	WO 92/19743 A2	11/12/92	PCT					<u> </u>	
	AQ	WO 96/29431	9/26/96	PCT						
	AR	WO 96/35437 A1	11/14/96	PCT	· · · · · · · · · · · · · · · · · · ·					
		OTHER R	EFERENCES (//	ncluding Aut	thor, Title, Date, Pertinent Pages, Etc.)					
í	AS	Chelly et al., "Dystrophin gene transcribed from different promoters in neuronal and glia cells", Nature (1990) 344:64-5								
	АТ	Sommer et al., "Minimal homology requirements for PCR primers", Nucleic Acids Research, (1989) 17:6749								
EXAMINER					DATE CONSIDERED	····				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

U.S. PATENT DOCUMENTS

NAME